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April 16, 2010

Via Hand Delivery

Hon. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings

APR 16 2010

Part of
Public Record



RE: STB Docket No. AB-551 (Sub-Docket No. 1X)
Knox & Kane Railroad Company-Abandonment Exemption-
in Clarion, Forest Elk and McKean Counties, Pennsylvania

Dear Secretary Quinlan,

In the above-entitled proceeding, pursuant to the Decision and Notice of Interim Trail Use or Abandonment ("NITU"), decided on November 23, 2009, the Surface Transportation Board ("STB") approved the request of the McKean County Planning Commission, in conjunction with Clarion, Forest and Elk Counties, to allow the Commission and the Counties to negotiate an interim trail use and rail banking agreement with the Knox & Kane Railroad Company ("Knox & Kane") for interim trail use/rail banking for the right-of-way of a line of railroad known as the Clarion to Kinzua Branch, extending from railroad milepost 95.3 near Clarion Junction, to railroad milepost 165.2, near Mount Jewett, for a distance of 69.9 miles in Clarion, Forest, Elk and McKean Counties, Pennsylvania.

In the above-entitled proceeding, pursuant to the NITU, decided on December 8, 2009, the STB also approved the request of The Kovalchick Family Trust ("KFT") for issuance of a NITU to allow it to negotiate with Knox & Kane, for interim trail use/rail banking for the right-of-way of a line of railroad known as the Clarion to Kinzua Branch, extending from railroad milepost 95.3 near Clarion Junction, to railroad milepost 165.2, near Mount Jewett, for a distance of 69.9 miles in Clarion, Forest, Elk and McKean Counties, Pennsylvania.

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Please be advised that on April 16, 2010, Knox & Kane and the KFT reached an agreement, pursuant to 49 C.F.R. § 1152.29, for interim trail use/rail banking for the line of railroad known as the Clarion to Kinzua Branch, extending from railroad milepost 95.3 near Clarion Junction, to railroad milepost 165.2, near Mount Jewett, for a distance of 69.9 miles in Clarion, Forest, Elk and McKean Counties, Pennsylvania.

Please acknowledge receipt of this letter by date stamping the enclosed copy of this letter and returning it to my attention in the enclosed self-addressed, stamped envelope. Ten (10) additional copies of this letter are enclosed for the STB's use and distribution.

By my signature below, I certify service upon Deborah L. Lunden of the McKean County Planning Commission, 17137 Route 6, Smethport, Pennsylvania, 16749.

Respectfully Submitted,



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Attorney for
Knox & Kane Railroad Company

CC: McKean County Planning Commission.